

ORDINANCE NO. 1871

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON AMENDING CHAPTER 18.04 OF THE MILWAUKIE MUNICIPAL CODE, BY ADOPTING CERTAIN AMENDMENTS RELATED TO REDUCTION OF FLOOD LOSSES IN FLOOD HAZARD AREAS.

WHEREAS, the City of Milwaukie participates in the Federal Emergency Management Agency's National Flood Insurance Program; and

WHEREAS, the National Flood Insurance Program establishes minimum requirements for regulation of development in flood hazard areas to reduce injury, loss of life and property due to flooding; and

WHEREAS, the Federal Emergency Management Agency has identified that the definition of "substantial improvement" within Milwaukie Municipal Code Chapter 18 is inconsistent with federal standards; and

WHEREAS, Oregon Manufactured Dwelling Standards 1997, requires manufactured homes to meet elevation standards when located in special flood hazard areas; and

WHEREAS, the City of Milwaukie finds that the proposed amendments are appropriate and reasonable; and

WHEREAS, all required referrals and notices of public hearings on the proposed amendments have been made in accordance with law; and

WHEREAS, the Milwaukie City Council held a public hearing on March 7, 2000;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section I. Findings of fact in support of these amendments.

- A. The City Council adopts the above recitals as findings of fact.

Section II. Amendments to Milwaukie Municipal Code Chapter 18.04 Flood Hazard Areas:

- A. Milwaukie Municipal Code Section 18.04.030.W.2.a - Definitions, Substantial Improvement is amended as follows:

Strikeout text is to be deleted; underlined text is to be inserted.

2. "Substantial Improvement" does not include either:

a. ~~Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or~~

a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

B. Milwaukie Municipal Code Section 18.04.160.C.1 - Specific Standards, Manufactured Homes is amended as follows.

~~Strikeout text~~ is to be deleted; underlined text is to be inserted.

1. All manufactured homes to be placed or substantially improved within zones A1-30, AH, and AE (as identified on Flood Insurance Rate Maps) shall be elevated on a permanent foundation such that the lowest floor elevation of the manufactured home ~~is at or above the base flood elevation~~ shall be no less than one foot above the base flood elevation and shall be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 18.04.150(A).

Read the first time on March 7, 2000 and moved to a second reading by a 4 - 0 vote of the City Council.

Read the second time and adopted by the City Council on March 7, 2000

Signed by the Mayor on March 7, 2000.

Carolyn Tomei
Carolyn Tomei, Mayor

ATTEST

APPROVED AS TO FORM RAMIS,
CREW, CORRIGAN & BACHRACH, LLP

Pat Duval
Pat Duval
City Recorder

James H. V. Ramis
City Attorney